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Dan Smoot Report



DAN SMOOT

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THE SAN FRANCISCO RIOT

A subcommittee of the House Committee On Un-American Activities scheduled public hearings for May 12, 13, 14, 1960, at City Hall, San Francisco, for the purpose of investigating significant communist activities in the Bay Area. U. S. Congressman Edwin Willis (Democrat, Louisiana) was chairman of the subcommittee.

On May 12, communists inside the hearing room were so violently unruly and abusive that they had to be removed from the room by force. Outside — in the corridors of the building and on the streets below — a communist led mob of students created disruptive noise and turmoil. Just before noon on May 12, a mass rally in Union Square protested the hearings and demanded abolition of the House Committee. Principal speaker at this rally was an Episcopal clergyman — Richard Byfield, Canon of Grace Cathedral, a member of the personal staff of James A. Pike, Bishop of the Episcopal Diocese of California. Canon Byfield is also editor of *Pacific Churchman*, official magazine of the Diocese.

On May 13, 1960, a larger mob gathered. When the hearing room was filled, a police officer acting as guard, closed the door and announced that no one else could be admitted. The mob in the corridor rushed him. Someone seized the officer's nightstick and beat him on the head with it. Police unrolled building fire hoses and turned streams of water on the mob. This moved them back from the hearing room door but did not disperse them. When police moved into the mob to remove the leaders, a wild fight ensued. About 400 policemen and about 350 rioters were involved. Twelve persons were injured: 6 policemen, 2 firemen, and 4 rioters. Two policemen had heart attacks. Sixty-four rioters were arrested. Three were juveniles. The other 61 were released on bail after being charged with inciting a riot, disturbing the peace, and resisting arrest.

On Saturday, May 14, a crowd of some 3000 milled around City Hall, 500 of them picketing with signs against the House Committee. Inside the hearing room, communists Archie Brown ("Number Two" communist in California and member of Harry Bridges' union) and Merle

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Brodsky were so violent that they had to be removed (as on the first day); but outside, the mob was reasonably peaceful, on this third and final day of the hearings.

The sixty-one adults arrested on Friday, although at first saying they would demand jury trial, waived a jury trial and, in a body, went before San Francisco Municipal Judge Albert Axelrod on June 1, 1960. The judge dismissed all the cases, after saying there were "ample grounds" for conviction of all 61 defendants on the charge of engaging in a riot, which carries a penalty of one year in jail and a \$1000 fine. The judge, apparently, did not consider the charges of disturbing the peace and resisting arrest. It appears that no one is to be prosecuted for assault and battery on the police officers.

In explaining why he dismissed charges against all 61 defendants, Judge Axelrod said:

"The defendants for the most part are clean-cut American college students who will, within the next few years, enter into the business and professional worlds; and many of them, I am sure, will become leaders in their respective fields. I am convinced that they are not engaged in subversive activities nor in spreading subversive propaganda. They wanted to exercise their prerogative of protesting what they believed to be an undemocratic hearing. However, they chose the wrong means."

The judge said that conviction would carry a "stigma which could well haunt them every time they applied for a responsible position either in private industry or in the government service." The defendants issued a mimeographed reply to the judge's decision and remarks. They said:

"We appreciate Judge Axelrod's courage which has insured a triumph of justice and good sense. The defendants have been vindicated. Encouraged by the court's action, we shall continue our opposition to the House Committee on Un-American Activities."

* * * * *

HOW FAR WILL THEY GO?

U. S. Congressman Gordon Scherer (Republican, Ohio), a member of the House Committee on Un-American Activities, was present at the San Francisco hearings in May, 1960. In a speech on the floor of the House, June 2, 1960, Congressman Scherer gave information on the communist manipulations which led to, caused, and directed the rioting in San Francisco. The remainder of this Report (except for "Correction" on p. 200) is an abbreviated version of Congressman Scherer's June 2 speech, taken from the *Congressional Record*, June 2, 1960, pages 10917-10921.

THE COMMUNIST PLOT

Approximately three years ago, communists decided that they had to get rid of the House Committee on Un-American Activities and weaken the FBI's influence and powers. Such a campaign could not be successfully conducted in the name of the communist party itself. A front operation was needed. So, on September 20, 1957, the Emergency Civil Liberties Committee, in a meeting at Carnegie Hall, New York City, publicly dedicated itself to three objectives desired by the communists:

- (1) To abolish the House Committee on Un-American Activities and stop Congressional investigations into subversive activities;
- (2) To discredit J. Edgar Hoover and the Federal Bureau of Investigation;
- (3) To bring about repeal of the Smith Act, the Internal Security Act, and the Communist Control Act of 1954.

The Senate Internal Security Subcommittee, the House Committee on Un-American Activities, and J. Edgar Hoover have found the Emergency Civil Liberties Committee to be communist-controlled. Its present chairman, Harvey O'Connor, is an identified communist, under indictment for contempt of Congress, because he refused to answer questions concerning his communist activities. Clark Foreman and Frank Wil-

kinson (an identified communist who has been convicted for contempt of Congress) are moving forces in the Emergency Civil Liberties Committee. A majority of the members of the national council of this outfit with the high-sounding name have long records of service to communist causes.

For two and a half years, these notorious characters have harassed the House Committee on Un-American Activities. In advance of a scheduled public hearing, ECLC hirelings go into the city where the hearings are to be held. They have meetings with known communists who have been subpoenaed to testify, coaching them in the communist technique of making propaganda speeches while refusing to testify; telling them how to bait and vilify the U. S. Congressmen who conduct the hearings. The ECLC hirelings draft petitions, condemning the House Committee by misrepresenting its objectives, and obtain signatures from well-meaning (and some not so well-meaning) citizens of the community where hearings are to be held. They get paid advertisements in local newspapers, bitterly attacking the House Committee. They arrange meetings and rallies to be held prior to, and during, the House Committee's hearings, importing leftwing and pro-communist speakers. They sometimes get radio broadcast time for their pro-communist propaganda attacks against the House Committee.

Here are specific illustrations of how the Emergency Civil Liberties Committee has operated to support the communist purpose of abolishing the House Committee on Un-American Activities.

PUERTO RICO

In December, 1959, the Committee on Un-American Activities went into Puerto Rico for hearings to show that San Juan was a nerve center for a new \$100 million propaganda assault upon Central and South America for the purpose of creating hatred and ill-will toward the United States. The testimony showed how the Foreign Agents' Registration Act was being flagrantly violated and why loopholes in that act must be plugged by the Congress.

This House is well aware there is a small group of fanatical nationalists in the Puerto Rican community. Ever since Puerto Ricans from this group

shot the guards at Blair House during the Truman Administration and members of this House from our gallery, these revolutionaries have been comparatively quiet. Lately, however, there has been a clever, subtle infiltration of their ranks by communist agents for the purpose of stirring up agitation and hatred against the United States.

The Emergency Civil Liberties Committee sent its executive director from New York to San Juan in advance of our hearings. He was on the radio vilifying the Committee before its appearance. He was meeting with subpoenaed communists and their left-wing lawyers and other groups in the city. He was busy preparing and issuing inflammatory press releases against the Committee.

As a result, in San Juan, December, 1959, we had a preview of what happened at San Francisco, May, 1960: pickets surrounded the federal building; they jeered at the Committee and spat upon our automobiles as we arrived; they chanted and shouted outside the U. S. Court House in an attempt to disrupt the hearings.

In Puerto Rico, members of the Committee and its staff required police protection. None of the left-wing crowd, who regularly cry crocodile tears over alleged deprivation of the civil rights of communists called before Congressional investigating committees, said one word about members of Congress being deprived of their right to conduct hearings provided by law without physical interference from those who disapprove of the Committee on Un-American Activities.

The Emergency Civil Liberties Committee was well pleased with what happened in San Juan.

WASHINGTON, D.C.

In February, 1960, the Committee on Un-American Activities held hearings, here in Washington, which revealed how the disturbances and riots at the Seventh World Youth Festival in Vienna last year resulted largely from the fact that the heads of many of the delegations to that festival were not youths but hard-core (forty to sixty-year old) members of the communist apparatus.

For the Washington hearings, the Emergency Civil Liberties Committee developed still another

technique. Supposedly spontaneously, there sprang up an organization called "Youth Against the Un-American Activities Committee" to protest our hearings on the Vienna Youth Festival. We were charged with investigating youth and interfering with the free expression of youth, when all we were trying to show was that some of the delegations had no free expression because of their being communist-dominated and controlled by agents of the Kremlin. Some of the left-wing press cried crocodile tears for the young people who descended on Washington. This youth organization against the Committee on Un-American Activities was represented in the hearing room here in Washington by some two hundred young people who were supposedly representative of American youth generally. I wish you could have seen the disreputable array of characters who were supposed to be a cross-section of American youth.

Before the hearings ended, it was shown conclusively that the young people protesting these hearings were brought to Washington on buses from New York City by the Emergency Civil Liberties Committee under the direction of the same notorious Clark Foreman who did the dirty work in San Juan. Dorothy Marshall, who is anything but youthful, went from Los Angeles to New York to assist Foreman in bringing this group to Washington.

The headquarters of the organization called "Youth Against the Un-American Activities Committee" was the same office as the Emergency Civil Liberties Committee; its press releases attacking the Committee on Un-American Activities were typed on the typewriter of the Emergency Civil Liberties Committee. There is no doubt in my mind that they were written by Clark Foreman. Before this group made its expedition to Washington, it met in New York and was addressed and harangued by Clark Foreman, Dorothy Marshall, and a number of hard-core communist functionaries, none of whom can be classified as youthful.

The February hearings here in Washington were a disgraceful, deceitful exploitation of youth by the communist apparatus in an attempt to further discredit and destroy the Committee on Un-American Activities and to furnish grist for the Soviet propaganda machine throughout the world.

SAN FRANCISCO

The violence at San Francisco — the next step in the communist assault against the House Committee on Un-American Activities — was clearly planned at the highest communist levels. The demonstrations, the rioting, and the resulting photographs were wanted for use throughout the world by Kremlin propagandists in a deceitful attempt to show that young people in America oppose their government when it moves against communist activities in the United States.

Frank Wilkinson, identified communist, was in San Francisco before the hearings. During the hearings, he was in the corridors issuing instructions and inciting hostile action against the Congressional committee.

Harry Bridges, notorious head of the Longshoremen's Union, was outside the hearing room inciting the mob to move in, and members of his union were in the mob. Last year, Harry Bridges made a trip around the world, consulting with communist labor leaders in the transportation field. Our hearings clearly established that the purpose of Bridges' trip was to bring about an agreement with these communists for concerted action to tie up shipping throughout the world when the word is given.

Other well-known communists in the mob at San Francisco: Archie Brown (Number Two communist in California), Ralph Izard, Merle Brodsky, Douglas Wachter, and Vernon Bown.

The communist party leaders — Archie Brown, Ralph Izard, Frank Wilkinson, Harry Bridges, and Merle Brodsky — were careful to avoid actual violation of law. They left that up to underlings in party ranks.

In the forefront of the mob were "beatniks," and students from universities in the Bay Area. Some of the students may not have realized that their 'protests' against the House Committee on Un-American Activities were organized and directed by communist agents who have learned, in communist schools, how to incite riots and insurrections, and how to dupe innocents into the service of communism.

Mostly, the students at San Francisco had been victimized by their own teachers — leftwing, pro-communist, and communist characters in the Bay

Area, who have a venomous hatred for the House Committee on Un-American Activities and who have poisoned the minds of students. The brave teachers, who had urged their students to participate in the communist riot, stayed safely in their classrooms.

Before and during our hearings in San Francisco, campus meetings and publications had urged public demonstrations against the House Committee. Here is a typical excerpt from the *Daily Californian*, student publication at the University of California:

"The Student Committee for Civil Liberties plans to picket the hearings today. It has issued a call for students to attend the rally and hearings and suggests that people 'laugh out loud' in the hearings when things get ridiculous.

"Rides for students who want to attend the hearings will leave at 8:15 to 10 a.m. this morning from Stiles Hall."

One significant situation dramatized by the San Francisco riots is that America now has a group of "second-generation" communists—young adults who are the communist children of communist parents, and whose lives have been a period of training in communist ideas and techniques. The most notorious "second-generation" communist participating in the San Francisco riots was Douglas Wachter (son of Saul Wachter, known communist agent).

Douglas Wachter attended High School in Berkeley, California. Two years ago (in his senior year), he was elected president of the Junior Statesmen Club, an influential political group on the campus. He went on to the University of California where he has been extremely active in campus political activity, the Committee on Racial Equality (CORE). He boasts that he led the student contingent in recent protests against the execution of Caryl Chessman.

COMMUNIST ACCOMPLISHMENTS AT S.F.

What did the communist party accomplish by the San Francisco riots? Their major aim (to stop the hearings) failed; but their second aim (to create an issue which the communist press can

use for propaganda purposes throughout the world against the United States) was successful. For years to come, communists will be referring to the "Black Friday in San Francisco, when the red-baiting, witch-hunting, fascist, racist, Un-American Committee had to call in 'goon squads' who used police brutality of the worst sort against a spontaneous student protest."

One of the communists' chief aims is to destroy the confidence of the people in their law-enforcement agencies. Charges of police brutality have been revived and used over and over again.

Some communist apologists say police used undue force in San Francisco. Communist publications go so far as to charge the police with causing the riot. I hesitate to repeat some of the scurrilous and absolutely untrue charges of brutality being made against the police.

The truth is, that the police and the sheriff leaned over backwards using almost every known device short of force to break up the demonstrations and flagrant violations of a half-dozen laws before they were compelled to meet violence with fire hoses and forcible eviction from the City Hall. It was not until the mob attempted to break into the already overcrowded hearing room, knocked down a police officer, seized his mace and started pounding him with it, that the police moved in. Eight officers and four rioters were hospitalized. We hear little sympathy for these police officers. We see no photographs of the attack on the police. We see only pictures of rioters being dragged by police from the City Hall because they had engaged in mob violence and refused to leave the building on directions of the police so that law and order might prevail.

The members of the Committee on Un-American Activities state that the Chief of Police of San Francisco, the Sheriff of San Francisco County and their men acted in accordance with the highest and finest traditions of law enforcement officials. This Congress should commend them and express our regrets and sympathy for those officers who were injured in the proper performance of their duty.

JAMES ROOSEVELT

I am not going to say what part, if any, the attack made upon the Committee on the Floor of this House by James Roosevelt played in the San Francisco demonstrations. I am merely going

to relate some of the facts and then let the Members of the House decide.

On April 25, a little over two weeks before the San Francisco hearings, the gentleman from California, Mr. Roosevelt, made one of the most shocking and unjustified attacks on Members of this body that I have heard in the eight years I have been a Member of Congress.

Here are some of the choice epithets the gentleman from California hurled at nine Members of this Congress on the Floor of this House. He called the Committee and its work "bumptious," "plain silly," "incredible," "harmful," "useless," "bad," "evil," "abortive," "cruel," "appalling," "perverse," and "destructive." He charged the Committee and its work with being "vicious," "a cancer," and "sanctimoniously cruel." He said that we were a "thoroughly bad institution," "a national problem" and a "degrading spectacle."

Mr. Roosevelt concluded his scurrilous attack by charging:

"The Committee is closer to being dangerous to America in its conception than most of what it investigates."

This is a paraphrase of a remark I have heard time and time again since serving on the Committee. It has come repeatedly from sullen, defiant, and contemptuous members of the communist party who have been subpoenaed to testify before our Committee as witnesses. I have read this remark many times in communist and pro-communist publications, but I never dreamed I would see the day when a member of this House would repeat it on the Floor. It is the use of this phrase and some other phrases and appellations in the speech of the gentleman from California that makes me wonder if he actually wrote these particular remarks.

On May 5, 1960, in my reply to Mr. Roosevelt's attack on the Committee, I pointed out that it was the Emergency Civil Liberties Committee which, as early as April 8, covered the country from coast to coast with bulletins announcing Mr. Roosevelt's speech on the Floor of the House attacking the Committee on Un-American Activities.

In its bulletin, the Emergency Civil Liberties Committee indicated that it had advance knowledge of how Mr. Roosevelt intended to handle

his speech on the Floor of the House. I charged in my reply that Russ Nixon, an identified member of the communist party, and an official of the communist-controlled United Electrical Workers Union, was also a member of the national council of the Emergency Civil Liberties Committee; that it was representatives of this communist-controlled United Electrical Workers Union, at the direction of Russ Nixon, who met with the gentleman from California on the matter of his April 25 attack on the Committee on Un-American Activities.

125,000 reprints of the Roosevelt vilification of the House Committee on Un-American Activities were made. It is significant that at the personal direction of the gentleman from California, 1000 reprints of this scurrilous attack on the Committee went to the communist controlled United Electrical Workers Union. 10,000 reprints were sent to the notorious Clark Foreman, director of the communist-controlled Emergency Civil Liberties Committee. 50,000 were sent to Eason Monroe of Los Angeles, California (executive director of the Southern California branch of the American Civil Liberties Union), whose name appears in communist publications as a supporter of numerous communist causes.

Another 5,000 copies were sent by Mr. Roosevelt to the communist-controlled Citizens Committee to Preserve American Freedoms, which is the west coast adjunct of the Emergency Civil Liberties Committee.

It is most significant, however, that 5,000 copies were originally ordered sent to one Ralph Izard at a Los Angeles address. Who is Ralph Izard? Ralph Izard is an identified communist who has a long record of service to the communist cause. He was one of the surly witnesses subpoenaed before the House Committee at its San Francisco hearings. He is an identified communist who used a United States passport to travel through red China as a guest and at the expense of the red Chinese government. Since his return to the United States, in his extensive lectures and writings, Izard has praised the communist regime of red China and denounced the government of the United States.

It is even more significant that on the day the 10,000 reprints were to be mailed to the Citizens Committee to Preserve American Freedoms and the infamous Ralph Izard at the Los Angeles addresses, Mr. James Roosevelt's office ordered

them sent by air freight, not to Los Angeles, but to these people at San Francisco in order that they might arrive in time for the San Francisco hearings.

Copies of James Roosevelt's speech were distributed to the mob that rioted outside our hearing room. Communist-identified witnesses who were called before the Committee, came to the witness stand armed with Mr. Roosevelt's speech and taunted members of the Un-American Activities Committee with charges that came from their colleague's lips while using the immunity of this House. Choice epithets from this speech appeared on the placards of those who picketed the Committee's hearings. The gentleman from California must have been proud to see his name on those banners as the author of the smear attack against his colleagues in the House.

DISCIPLINED MOBSTERS

There were ministers present at the hearings in San Francisco, who issued a joint statement about what happened there.

Dr. G. Archer Weniger, of Oakland; Rev. Don

Watson, of Oakland; Dr. H. Austin, of San Francisco; Rev. Robert F. Hakes, of Alameda; Dean William G. Bellshaw, of the San Francisco Baptist Seminary; Dr. H. O. Van Gilder, of the Western Baptist Bible College; Dr. Arno Weniger, of San Francisco, gave their eyewitness account of what happened inside the hearing room:

"More than a dozen ministers were in attendance at the Congressional hearings of the House Un-American Activities Committee in San Francisco on May 12 and 13 . . . What we witnessed was utterly fantastic. The shameful demonstration against law and order and against this duly constituted Committee of the Congress defies description . . .

"It is our certain conviction that this indefensible demonstration against law and order was conceived, planned, and directed by a few hardcore communist agitators . . . Leaders of the mob included faculty members and well-known leftist lawyers for the fifth-amendment communists.

"We were sitting where we were able to observe the giving of instructions by the riot leaders who had gained access to the room. The Daily Californian, which was distributed widely at the scene, gave explicit instructions on . . . how to harass the Committee. They were told to laugh out loud . . . to make the Congressmen look ridiculous. These well-disciplined mobsters

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CITY AND STATE

laughed on the dotted line and obeyed their masters to the last jeer. We watched a national committeeman for the Party line up a dozen Communists near the railing and throw . . . invective, abusive language, vile profanity, and fiendish charge at the Congressmen . . .

"The students, comprising the rear third of the audience, stood up on their seats and yelled, jered, hissed, and scoffed at the Congressmen. It was almost complete breakdown of law and order . . . The only criticisms we have of the police authorities were of allowing this element to make such a mockery out of law and order, without jailing everyone of the leaders.

"We are at a loss to understand how clergymen, such as Bishop James Pike, could give any aid and comfort to this lawless kind of activity by statements deriding the Committee, and by allowing his assistant pastor to address one of their despicable rallies.

"We came away from this hearing absolutely convinced of the overwhelming necessity of continuing the House Committee on Un-American Activities. No free agent could view the hearings without being impressed with the fairness, justice, and dedication (of Committee members and Counsel) . . .

"Chairman Edwin Willis was unusually temperate and patient. We have nothing but un-

bounded admiration for Richard Arens, Committee Counsel, whose skill and understanding of this perilous conspiracy was a blessing to behold. We apologize to these devoted public servants from Congress for the devilish and deceitful conduct of an infinitesimally small but alarmingly arrogant segment of this area, who are willing to be tools of the communist conspiracy which would make a shambles out of the liberty which marks this great nation as the land of the free and the home of the brave."

CORRECTION

In the May 30, 1960 issue of this Report, I said that Richard Nixon ran against Helen Gahagan Douglas for election to the House of Representatives in 1946. This was an error. Mrs. Douglas was a Democrat incumbent from another District at the time. It was in 1950 when Nixon ran for the Senate that he opposed Douglas.

For the benefit of any who may wish to order and distribute reprints of the May 30 issue, we have had it corrected.

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.